



**PLANNING APPLICATION FOR
ERCTION OF SPECTATOR STAND
(RETROSPECTIVE)**

**HAYES AND YEADING UNITED FOOTBALL CLUB
THE SKYEX COMMUNITY STADIUM
BEACONSFIELD ROAD
HAYES, HILLINGDON UB4 0SL**

**PLANNING STATEMENT
NOVEMBER 2023**

Introduction

- 1.1 This statement has been prepared in support of a full planning application for a new spectator stand at Hayes and Yeading Football Club, the SkyEx Community Stadium, Beaconsfield Road, Hayes, Hillingdon UB4 0SL. The stand has already been constructed and this application therefore seeks retrospective approval.
- 1.2 The Statement explains how the proposal accords with national policy and development plan policies relating to the provision of buildings for outdoor sport and outdoor recreation in the Green Belt.
- 1.3 Hayes and Yeading Football Club is an FA licensed community-based semi-professional football club which was formed in 2007 from the merger of the former Conference South clubs of Hayes FC and Yeading FC. It currently competes in the Southern League Premier Division South.
- 1.4 The SkyEx Community Stadium opened in 2016 and the Club moved permanently to their new ground at the start of the 2017-2018 season. The capacity of the stadium is about 3,000. The Club employs about 25 people (including the part-time employed players) and as well as the First Team and U23s runs 12 youth teams for boys, girls and mixed between 6–18 years.

2.0 Relevant Planning Policies

National policy

- 2.1 NPPF (September 2023) paragraph 149 states that the construction of new buildings in the Green Belt is inappropriate unless it is for a limited number of exceptions. NPPF paragraph 149(b) states that one exception is the provision of “appropriate facilities for outdoor sport and outdoor recreation” as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 2.2 NPPF paragraph 84 states that planning policies and decisions should enable the retention and development of accessible local services and community facilities such as sports venues.

- 2.3 Section 8 of the NPPF promotes healthy and safe communities. NPPF paragraph 92 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible, and enable and support healthy lifestyles including sports facilities. NPPF paragraph 93 states that planning policies and decisions should plan positively for the provision and use of community facilities such as sports venues. NPPF paragraph 98 recognises that access to high quality open spaces and opportunities for sport and physical activity is important to the health and well-being of communities. The proposal supports each of these Government planning policies and objectives.

Development plan policies

- 2.4 Relevant development plan policies include:

Hillingdon Local Plan Part 1 – Strategic Policies adopted November 2012

EM2 – Green Belt, Metropolitan Open Land and Green Chains

EM5 – Sport and Leisure

EM6 – Flood Risk Management

CI2 – Leisure and Recreation

Hillingdon Local Plan Part 2 - Development Management Policies, 16 January 2020

DMEI4 – Development in the Green Belt or on Metropolitan Open Land

DMEI9 – Management of Flood Risk

London Plan March 2021

GG1 – Building strong and inclusive communities

S5 – Sports and recreation facilities

G2 – London's Green Belt

3.0 Planning Assessment

Appropriate development in the Green Belt

- 3.1 The site lies within the Green Belt. NPPF para. 149(b) allows the construction of appropriate facilities for outdoor sport and outdoor recreation provided the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Implicit in the policy in paragraph 149 of the NPPF is a recognition that outdoor sport and outdoor recreation are often found, and buildings for those activities will have to be constructed, in the countryside including the Green Belt.
- 3.2 National policy is therefore permissive in respect of outdoor sports facilities in the Green Belt and allows the provision of “appropriate facilities” for outdoor sport and outdoor recreation. Appeal Inspectors have defined the relevant test of “appropriate facilities” as whether the proposed facilities are reasonably required and “normally associated” with a particular type of outdoor sport or outdoor recreation.
- 3.3 The proposals are considered to be appropriate development in the Green Belt which accords with national and local plan Green Belt policy for the following reasons:
 - (1) The new spectator stand would provide appropriate facilities that are “reasonably required” and “normally associated” with the established football activities on the site. Such a stand is a normal expectation for spectators at a football stadium. The new stand provides two benefits. Firstly, it includes tiered levels which provides spectators with better views of the pitch. This is particularly helpful for families. Secondly, it includes a roof covering to protect spectators in bad weather. Therefore the proposal contributes to the health and wellbeing of spectators.
 - (2) The Council recently granted planning permission for proposals including a new 158-seater stand at Uxbridge FC, Horton Road,

Yiewsley (49914/APP/2023/1017) which it concluded was ‘appropriate development’ within the Green Belt.

- (3) NPPF para. 149(b) is subject to the test that the facilities should preserve the openness of the Green Belt and not conflict with the purposes of including land within it. The Courts in *R (Lee Valley Regional Park Authority v Epping Forest DC and Valley Grow Nurseries Ltd [2016] EWCA Civ 404* have determined that in assessing the impact of ‘appropriate development’ proposals on the openness of the Green Belt, as a matter of fact, the construction of all buildings in the Green Belt will reduce the amount of Green Belt land without built development upon it but for ‘appropriate development’ proposals that does not necessarily equate to harm to the openness of the Green Belt. The Courts (Lindblom J) stated (equivalent paragraphs in the current NPPF are paras. 137-151):

“On a sensible contextual reading of the policies in paragraphs 79 to 92 of the NPPF, development appropriate in – and to – the Green Belt is regarded by the Government as not inimical to the “fundamental aim” of Green Belt policy “to prevent urban sprawl by keeping land permanently open”, or to “the essential characteristics of Green Belts”, namely “their openness and their permanence” (paragraph 79 of the NPPF), or to the “five purposes” served by the Green Belt (paragraph 80).”

- (4) The Courts (*Europa Oil and Gas v Secretary of State for Communities and Local Government [2013] EWHC 2643*) have also held that considerations of appropriateness, preservation of openness and conflict with MOL purposes are not exclusively dependent on the size of building or structures but include their purpose. Notably the example used by the Courts was that “... two materially similar buildings [,] one a house and one a sports pavilion, are treated differently in terms of actual or potential appropriateness.”

- (5) In other words, it is implicit in Green Belt policy that although the construction of new buildings inevitably will reduce the amount of Green Belt that does not have development on it, this does not necessarily equate to harm to the openness of the Green Belt. The Courts have held there is real significance in the fact that certain types of development such as appropriate facilities for outdoor sport and outdoor recreation is appropriate development and do not have to be justified by very special circumstances. An assessment of whether a proposal is appropriate under NPPF paragraphs 149 and 150 is not exclusively dependent on the size of buildings or structures but must also include their purpose.
- (6) The proposed stand is open on three sides. The only enclosed side is the south side which backs onto the existing 2m high solid concrete panelled perimeter fence already running around and enclosing the whole football pitch. The height of the stand is only 3.6m and it has a gentle sloping roof. It is a simple open structure constructed with dark colours. All of these factors assist in minimising the actual visual impact of the stand. The stand is not readily visible from outside the perimeter fence to the north, west and east. From the south the fence itself already creates an enclosing feature to the stadium. See photograph below. The small part of the new stand that is visible above the fence when viewed from this direction is not prominent or incongruous and in the overall context of the stadium and its setting it would not have any additional material harm on the openness of the Green Belt. Note that this photograph is taken from a position fairly close to the fence and the visibility of the stand reduces as one moves further to the south.



Photo 1 – Spectator stand viewed from the south



Photo 2 – Spectator stand viewed from the south (southern edge of Club land)



Photo 3 – View from northwest corner of the pitch (stand to right)



Photo 4 – View from northern end of the pitch

- (7) The site is located within a small and contained area of Green Belt surrounded by development. The site is well enclosed and there are no long-distance views to or from other parts of the Green Belt. To the south and east there is mature woodland following the Yeading Brook

(see background to photograph 4 above). The Football Club stand and turnstiles block any views from the west. To the north is the densely developed area of Brook Industrial Area.

- (8) The proposal would not prejudice the purposes of including the land within the Green Belt. Specifically, it would not result in the merging of nearby towns or the unrestricted sprawl of built development given the limited nature of the proposals and the extent of existing development associated with and around the perimeter of the pitch.
 - (9) The proposal would support and retain the existing outdoor sport and recreation use and therefore maintain the site in a positive use improving access to and the quality of outdoor sport and recreation whilst protecting the openness of the Green Belt.
 - (10) London Plan para. 8.1.1 notes that providing for sport and recreation is one of the main purposes of preserving open spaces within the Green Belt. Hillingdon Policy EM5 (Sport and Leisure) states that the Council will safeguard, enhance and extend the network of sport and leisure spaces that meet local community needs. Local Plan Part 1 para. 8.70 notes that sport and leisure is a high-profile service area to ensure that "Hillingdon is a more active, healthy, successful sporting borough". The Council has a very clear commitment to sport and physical activity matching its aspiration to provide high quality sports facilities. Policy CI2 (Leisure and Recreation) seeks to safeguard existing viable leisure and recreational facilities and supports proposals for new and improved facilities. The proposals therefore accord with these relevant London and Hillingdon plan policies and objectives.
- 3.4 The proposal stand therefore involves the provision of "appropriate facilities" for the established outdoor sport and outdoor recreation activities on the site and therefore is considered "appropriate development" in Green Belt policy terms.

Other Planning Considerations

Level of use

- 3.5 The proposal would not result in any intensification of use. The proposed stand is on a pre-existing hard surfaced area which provided standing room at the back of the goal at the southern end of the pitch. The new stand is for standing spectators and whilst it provides tiered viewing levels and a roof cover it does not alter the overall capacity of the ground. For these reasons, the proposals would not result in increased levels of parking needs or activity or traffic movements to and from the site.

Flood risk

- 3.6 A flood risk assessment (FRA) prepared by GeoSmart Information is submitted with the application. The proposed stand is within flood zone 2 (medium probability). No development is proposed within flood zone 3B. Baseline mapping indicates a Very Low to Low risk and a review of the flood model data shows the risk is likely to be the same.
- 3.7 The stand structure is open and raised above the ground and will not interfere with surface water flows and the development will not affect the design flood level so that compensatory storage is not required. The proposed development therefore would not result in any increase in risk of flooding on the site or elsewhere.
- 3.8 The FRA (section 7) proposes generic resilience and mitigation measures although it should be recognised that this is a special case where such measures are neither appropriate or necessary. For example, it recommends that ground floors should be designed to permit water passage at high flow depths, that heating systems, electrical sockets and utility meters should be raised above predicted flood levels, and the use of a sump and pump – none of these are relevant or practical given the open and raised nature of the stand structure and the absence of heating and electricity. It advises that flood depths in an area could be 0.3m in the 1 in 100-year event and 0.6m in a 1 in 1000 year event and recommends emergency evacuation arrangements.

However, the reality is this is a stand to a football ground and in any extreme flood event matches would be postponed for practical reasons well in advance of the peak event. It is understood given the nature of the Yeading Brook and topography of the surrounding land that flooding will be a slow 'creeping' situation with low flow and velocity, such that there would be ample advance warning to ensure that matches were postponed well before the day of any actual peak events ensuring that spectators do not travel to the site.

- 3.9 It is concluded that in reality there is no flood risk to persons arising from the proposed stand. The outdoor sport use of the site falls within the 'water-compatible development' category which is acceptable in flood zone 2 according to the NPPF. This is a further indication that in real terms there is no additional flood risks associated with the proposal.

Ecology

- 3.10 A site of metropolitan of borough grade 1 importance for nature conservation lies to the south of the site running along the course of the Yeading Brook. However, given the limited scale and nature of the proposed stand, which is positioned on a pre-existing hardstanding surface and within the stadium area demarcated by the enclosed concrete perimeter fence, it is not considered that the proposal that would have any impact on the nature conservation interests. The proposal does not involve the loss of any undeveloped land or trees or vegetation and it does not result in development spreading further south towards the Yeading Brook. It does not involve the loss of existing or potential habitats.

4.0 Conclusion

- 4.1 Hayes and Yeading Football Club is a successful and well-supported semi-professional club. The proposed development comprises an appropriate facility for outdoor sport and outdoor recreation i.e. a facility "normally associated" with the well-established football activities on the site and which would preserve the openness of the Green Belt. The proposal would not prejudice the purposes of including the land within the Green Belt. The proposal is therefore considered

to be appropriate development in Green Belt policy terms and would comply with national policy at paragraph 149(b) of the Framework.

- 4.2 The proposal contributes to the health and wellbeing of spectators in relation to an established football club facility. This is consistent with the Council's policies and objectives supporting and promoting sport and recreation opportunities in the Borough including London Plan policies GG1 and S5 and Hillingdon policies EM5, CI2 and S5. The proposal accords with national policy which supports opportunities for sports and recreation which makes an important contribution to the health and wellbeing of communities (NPPF paragraphs 93 and 98).

Paul Dickinson
BA (Hons) MRTPI MRICS MCMI
24 November 2023